

United States District Court
for
Middle District of Tennessee

Report on Offender Under Supervision

Name of Offender: Bounmy Chomsavanh

Case Number: 3:09-00049-12

Name of Judicial Officer: The Honorable William J. Haynes, Jr., Chief U.S. District Judge

Date of Original Sentence: November 30, 2011

Original Offense: 21 U.S.C. § 846, Conspiracy to Possess with Intent to Distribute a quantity of MDMA (Ecstasy) and a quantity Marijuana

Original Sentence: Time-served in custody and 3 years' supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: March 27, 2012

Assistant U.S. Attorney: Lynne Ingram

Defense Attorney: Lawrence L. Arnkoff

THE COURT ORDERS:

No Action *as recommended JSM*
 Submit a Petition for Summons
 Submit a Petition for Warrant
 Other

Considered this 2/18 day of October, 2013,
and made a part of the records in the above case.

William J. Haynes, Jr.
Chief U. S. District Judge

I declare under penalty of perjury that the foregoing is true and correct. Respectfully submitted,

Joshua Smith
Joshua Smith
U.S. Probation Officer

Place Nashville, Tennessee

Date October 3, 2013

ALLEGED VIOLATIONS

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation No. Nature of Noncompliance

1. The defendant shall refrain from any unlawful use of a controlled substance.

On July 22, 2013, Mr. Chomsavanh tested positive for methamphetamine. On July 23, 2013, he admitted to the probation officer that he believed he might be “hooked” on methamphetamine. He reported that he had been using the drug approximately twice a month since the winter. He was instructed to pursue increased substance abuse treatment at Elam. On September 19, 2013, Mr. Chomsavanh admitted to recent use of cocaine.

2. The defendant shall participate in a program of drug testing.

On September 3, 2013, Mr. Chomsavanh failed to report for drug testing. On September 5, 2013, he submitted a urine sample for drug testing that was negative for illegal drugs.

Compliance with Supervision Conditions and Prior Interventions:

Mr. Chomsavanh was sentenced to time served and released on November 30, 2011. He was taken back into custody on a detainer with U. S. Immigration and Customs Enforcement on December 1, 2011. He was released from the detainer and began supervision on March 27, 2012. He is scheduled to terminate supervision on March 26, 2014. He was referred for a substance abuse assessment on March 28, 2012. The assessment was completed on April 24, 2012, and substance abuse treatment was recommended. He began treatment on May 9, 2012, and he is still enrolled in treatment at this time.

Mr. Chomsavanh obtained employment with Jani King, cleaning office buildings on September 7, 2012. He has remained employed with the company to date.

A report was submitted to the Court on January 4, 2013, to inform that Mr. Chomsavanh tested positive for Methamphetamine on December 17, 2012, and missed substance abuse treatment on two occasions. As a result of the positive drug tests, his drug testing and substance abuse treatment were both increased.

A report was submitted to the Court on January 25, 2013, to inform that Mr. Chomsavanh tested positive for methamphetamine on January 2, 2013.

A petition was submitted to the Court on July 10, 2013, to request that the release conditions be modified and a substance abuse treatment condition be added and to report that Mr. Chomsavanh had failed to report for drug testing on four occasions.

Mr. Chomsavanh followed the instructions of the probation officer and pursued increased substance abuse treatment with Elam. He began outpatient substance abuse treatment with Elam in September 2013. As a result of the admission of cocaine use, the probation officer instructed Mr. Chomsavanh to pursue inpatient substance abuse treatment to be followed by 90 days at a halfway house. A referral letter was submitted to Elam by the probation officer requesting Mr. Chomsavanh to be admitted into the inpatient substance abuse treatment program. He is reportedly scheduled to begin inpatient substance abuse treatment on October 7, 2013.

U.S. Probation Officer Recommendation:

It is respectfully recommended Mr. Chomsavanh be continued on supervised release with no further action at this time to allow him to benefit from participation in inpatient substance abuse treatment.

The U. S. Attorney's Office had been notified and concurs with this recommendation.

Approved:



W. Burton Putman

Supervising U.S. Probation Officer